



July 12, 2016

Mr. Alee Fa'amoe
Managing Director
Information and Communications Technology Authority
P.O. Box 2502
Grand Cayman KY1-1104
Cayman Islands

Regatta Office Park
Leeward One
1158A West Bay Road
P.O. Box 700
Grand Cayman KY1-1107
Cayman Islands

Tel: + 1 345 623 3444
Fax: + 1 345 623 3329

www.digicelcayman.com

Dear Mr. Fa'amoe,

Re: ICT Consultation 2016-2 Pole Attachment Reservation Fees, Permit Application Process and Charging Principles

Digicel thanks the Authority for the opportunity to submit comments on this matter of great importance to Digicel and indeed to the development of telecommunications in the Cayman Islands as a whole. As the Authority is aware, Digicel has encountered tremendous difficulty to negotiate pole access in the Cayman Islands. Therefore, we are pleased to see that the Authority is taking positive steps to address the issue.

Digicel agrees with all the observations made by the Authority in this Consultation. Specifically, we wish to confirm our agreement with the following proposals:

1. We agree that:

- within five (5) days of receipt of a Permit Application, the Owner Utility shall inform the Attaching Utility whether or not such Permit Application is complete
- On receipt of a complete Permit Application, the Owner Utility shall undertake and complete the Pre-Permit Survey within fifteen (15) days
- After completing the Pre-Permit Survey, as referenced above, the Owner Utility
- shall review and respond to:
 - a. "Minor" Permit Applications – less than ten (10) Attachments/Poles – within ten (10) days of receipt; or,
 - b. "Major" Permit Applications – ten (10) or more Attachments/Poles – within fifteen (15) days of receipt

2. Digicel agrees that where the timelines as set out above are not met by DataLink, the Attacher may use a third-party contractor to perform the required work. This includes relevant tasks relating to the Pre-Permit Survey and Make-Ready Work

3. Digicel agrees that the principles governing the permit application process, including any relevant Make-Ready Work, as noted and discussed in paragraphs 178 to 195 of the Consultation Document, should be standardised and applied across all the existing, and future, pole sharing agreements.
4. Digicel agrees that the relevant sections which refer to Make Ready Work/Installation, as specified in the existing pole sharing agreements should be amended, as proposed by the Authority. We also agree that these amendments are necessary as they give the assurance that Datalink's infrastructure sharing services are provided on terms and conditions which are no less favourable than those provided by Datalink, as the access provider, to itself or to any affiliate or subsidiary of DataLink, as required under the Infrastructure Sharing Regulations.

In addition to the above, Digicel believes that the Authority should use the opportunity of this Consultation to underscore the requirement that the principles and guidelines set out in Regulation 6 of the Interconnection and Infrastructure Sharing Regulations shall continue to apply to the fullest extent in relation to requests for pole access.

Yours sincerely,



Martin Bould
CEO
Digicel Cayman Ltd.

